

**Secretary to the Legislative Council:** The title of the Bill is "The Cochin Abkari Act (Amendment) Bill.

**Mr. C. J. Mathew** (*Joint Secretary to Government*): I request the Hon'ble President be pleased to suspend S. O. 32.

**Mr. President:** Yes.

**Mr. C. J. Mathew** (*Joint Secretary to Government*): I move that the Bill may be taken into consideration.

**Mr. M. Sivarama Menon** (*Advocate-General*): I second it.

*Motion put and carried*

*Clause 2 put and carried*

*Title and Preamble put and carried*

*Clause 1 put and carried*

**Mr. C. J. Mathew** (*Joint Secretary to Government*): I move that the Bill be taken up and finally passed day after tomorrow.

**Mr. B. V. K. Menon** (*Secretary to Government*): I second it.

*Motion put and carried*

### **The Cochin Opium Act (Amendment) Bill**

**Mr. C. J. Mathew** (*Joint Secretary to Government*): Sir, I beg to move that the Cochin Opium Act (Amendment) Bill be read in Council.

**Mr. M. Sivarama Menon** (*Advocate-General*): I second it.

*Motion put and carried*

**Secretary to the Council:** The title of the Bill is the Cochin Opium Act (Amendment) Bill.

**Mr. C. J. Mathew** (*Joint Secretary to Government*): I beg to request that the Hon'ble President be pleased to suspend S. O. 32.

**Mr. President:** Yes.

**Mr. C. J. Mathew** (*Joint Secretary to Government*): I move that the Bill be taken up for consideration.

**Mr. M. Sivarama Menon** (*Advocate-General*): I second it.

**Mr. President:** The question before the House is that clause 2 of the Bill stands part of the Bill.

**Mr. P. Kumaran Ezhuthassan** (*Vadakkancheri*): Sir, in sending up the amendment, the idea was to curtail the powers of confiscation of the deposit. But on mature thought I find that such power is necessary. Hence I do not move the amendment.

*Clause 2 put and carried*

*Title and preamble put and carried*

*Clause 1 put and carried*

**Mr. C. J. Mathew** (*Joint Secretary to Government*): I beg to move that the Bill may be taken up and finally passed day after tomorrow.

**Mr. M. Sivarama Menon** (*Advocate-General*): I second it.

*Motion put and carried*

### **The Cochin Tobacco Act (Amendment) Bill**

**Mr. C. J. Mathew** (*Joint Secretary to Government*): Sir, I beg to move that the Cochin Tobacco Act (Amendment) Bill be read in Council.

**Mr. M. Sivarama Menon** (*Advocate-General*): I second it.

*Motion put and carried*

**Secretary to the Legislative Council:** The title of the Bill is the Cochin Tobacco Act (Amendment) Bill.

**Mr. C. J. Mathew** (*Joint Secretary to Government*): I beg to move that the President be pleased to suspend S. O. 32.

**Mr. President:** Yes.

**Mr. C. J. Mathew** (*Joint Secretary to Government*): I beg to move that the Bill be taken up for consideration.

**Mr. M. Sivarama Menon** (*Advocate-General*): I second it.

*Motion put and carried*

*Clause 2 put and carried*

*Title and preamble put and carried*

*Clause 1 put and carried*

**Mr. C. J. Mathew** (*Joint Secretary to Government*): I move that the Bill may be taken up and finally passed day after tomorrow.

**Mr. B. V. K. Menon** (*Joint Secretary to Government*): I second it.

*Motion put and carried*

### The Cochin Employment of Children Bill

**Mr. M. Sivarama Menon** (*Advocate-General*): Sir, I beg to move that the Cochin Employment of Children Bill be read in Council.

**Mr. B. V. K. Menon** (*Joint Secretary to Government*): I second it.

**Mr. M. Sivarama Menon** (*Advocate-General*): Hon'ble members will find that there are only three operative provisions in this Bill. They are sections 3 (1), 3 (2) and 3 (3). The purpose of the first clause is to see that no child who has not completed his 15th year shall be employed or permitted to work in any occupation connected with the transport of passengers, goods or mails by railway. At present there is no law prohibiting employment of children to carry these goods. There is a like provision in British India and that has been in force there for some time. This age has been fixed in consultation with experts regard being had to the normal health of the children.

The second is that no child who has not completed his 15th year shall be employed or permitted to work in any occupation involving the handling of goods within the limits of any port to which for the time being any of the provisions of the Cochin Ports Act apply. Under the Ports Act the age limit is 12. We are now raising it to 15.

The third is that no child who has not completed his 12th year shall be employed, or permitted to work in any workshop wherein any of the processes set forth in the schedule is carried on. The schedule gives the following items.—

|                                                    |                             |
|----------------------------------------------------|-----------------------------|
| Bidi-making.                                       | Mica-cutting and splitting. |
| Carpet-weaving.                                    | Shellac manufacture.        |
| Cement manufacture, including bagging of cement.   | Soap manufacture.           |
| Cloth-printing, dyeing and weaving.                | Tanning.                    |
| Manufacture of matches, explosives and fire works. | Wool cleaning.              |

They are more or less in a degree dangerous processes and therefore the schedule sets out the vocations in which they cannot be employed. Government have also got power to add to that schedule as occasion arises. You will find under the Factories Act, children under 12 cannot be employed in factories. But that does not take in ordinary workshop. This age limit is intended to apply to workshops. There is a corresponding provision in British India.

**Mr. A. B. Salem** (*Mattancheri*): Why is this bidi-making included in it?

**Mr. M. Sivarama Menon** (*Advocate-General*): From a health point of view it is considered to be unhealthy. They have always to sit and make these bidies. It is a matter of opinion by experts.

**Mr. Joseph Pettah** (*Adur*): I would accept the principle of the Bill. But in the agenda it is stated that if the motion for introduction is carried the President would be requested to suspend the S. O. No. 32 and the Bill will be taken for consideration immediately. The principle of the Act is all right. But its provisions imply so many considerations which have to be looked into carefully. For instance, a child under 12 cannot be employed in bidi-making, and also there are other restrictions. So, I should think that the Bill should go to a Select Committee where these things should be considered carefully, because these are matters affecting the industrial development of the country and also the livelihood of very many families. Of course, it is one thing to say that children should not be employed in these various processes, but there is

## APPENDIX I

**THE COCHIN ABKARI ACT  
(AMENDMENT BILL)**

*Preamble.*—Whereas it is expedient to further amend the Cochin Abkari Act, I of 1077; It is hereby enacted as follows.—

1. *Short title and commencement.*—This Act may be called the Cochin Abkari (Amendment) Act, of 11 and it shall come into force at once.

2. *Amendment to section 29.*—In sub-section (2) of section 29 of the Cochin Abkari Act, I of 1077, after "clause (q)" the following clause shall be added;

"(r) for the forfeiture, notwithstanding provisions to the contrary contained in the Cochin Contract Act, XXIII of 1112, or in any other law, of the whole or any portion of the kists deposited by persons who purchase the right to sell toddy, arrack, foreign liquors or ganja, in addition to damages recoverable by Government on account of the breach of the conditions of sale laid down by the Diwan from time to time."

*Statement of Objects and Reasons*

There is no provision in the Cochin Abkari Act, I of 1077, authorising the forfeiture of the kists deposited by persons who have purchased the right to sell toddy, arrack, foreign liquors or ganja when they fail to carry out the terms of the contract or commit a breach of the conditions of sale. For the effective and efficient working of the system of sale by auction it is necessary to take power in this behalf. Hence the Bill.

## APPENDIX II

**THE COCHIN OPIUM ACT  
(AMENDMENT) BILL**

*Preamble.*—Whereas it is expedient to further amend the Cochin Opium Act, VIII of 1076 It is hereby enacted as follows.—

1. *Short title and commencement.*—This Act may be called the Cochin Opium (Amendment) Act, of 11 and it shall come into force at once.

2. *Amendment to section 6.*—In section 6 of the Cochin Opium Act, VIII of 1076.—

(a) the word "and" at the end of clause (c) shall be deleted;

(b) the word "and" shall be added at the end of clause (d); and

(c) after clause (d) and before the proviso the following clause shall be added.—

"(e) the forfeiture, notwithstanding provisions to the contrary contained in the Cochin Contract Act, XXIII of 1112, or in any other law, of the whole or any portion of the kists deposited by persons who purchase the right to sell opium, in addition to the damages recoverable by Government on account of the breach of the conditions of sale laid down by the Diwan from time to time."

*Statement of Objects and Reasons*

There is no provision in the Cochin Opium Act, VIII of 1076, authorising the forfeiture of the kists deposited by persons who have purchased the right to sell opium when they fail to carry out the terms of the contract or commit a breach of the conditions of sale. For the effective and efficient working of the system of sale by auction it is necessary to take power in this behalf. Hence the Bill.

## APPENDIX III

**THE COCHIN TOBACCO ACT (AMENDMENT) BILL**

*Preamble.*—Whereas it is expedient to further amend the Cochin Tobacco Act, VII of 1084; It is hereby enacted as follows.—

1. *Short title and commencement.*—This Act may be called the Cochin Tobacco (Amendment) Act, of 11 and it shall come into force at once.

2. *Amendment to section 5.*—In section 5 of the Cochin Tobacco Act, VII of 1084—

(a) the word “and” occurring at the end of clause (d) shall be deleted;

(b) the word “and” shall be added at the end of clause (e); and

(c) after clause (e), the following clause shall be added. —

“(f) the forfeiture, notwithstanding provisions to the contrary contained in the Cochin Contract Act, XXIII of 1112, or in any other law, of the whole or any portion of the kists deposited by persons who purchase the right to sell tobacco, in addition to the damages recoverable by Government on account of the breach of the conditions of sale laid down by the Diwan from time to time”.

#### • *Statement of Objects and Reasons*

There is no provision in the Cochin Tobacco Act, VII of 1084, authorising the forfeiture of the kists deposited by persons who have purchased the right to sell tobacco when they fail to carry out the terms of the contract or commit a breach of the conditions of sale. For the effective and efficient working of the system of sale by auction it is necessary to take power in this behalf. Hence the Bill.

### APPENDIX IV

#### THE COCHIN EMPLOYMENT OF CHILDREN BILL

*Preamble.*—Whereas it is expedient to regulate the admission of children to certain industrial employments; It is hereby enacted as follows,—

1. *Short title extent and commencement.*—(1) This Act may be called the Cochin Employment of Children Act, of 11 .

(2) It extends to the whole of Cochin State.

(3) It shall come into force at once.

2. *Definitions.*—In this Act—

(a) “occupier” of a workshop means the person who has ultimate control over the affairs of the workshop;

(b) “prescribed” means prescribed by rules made under this Act;

(c) “workshop” means any premises (including the precincts thereof) wherein any industrial process is carried on, but does not include any premises to which the provisions of section 50 of the Cochin Factories Act, II of 1113, for the time being apply.

3. *Prohibition of employment of children in certain occupations.*—(1) No child who has not completed his fifteenth year shall be employed or permitted to work in any occupation connected with the transport of passengers, goods or mails by railway.

(2) No child who has not completed his fifteenth year shall be employed or permitted to work in any occupation involving the handling of goods within the limits of any port to which for the time being any of the provisions of the Cochin Ports Act, VI of 1113, are applicable.

(3) No child who has not completed his twelfth year shall be employed, or permitted to work, in any workshop wherein any of the processes set forth in the Schedule is carried on:

Provided that nothing in this sub-section shall apply to any workshop wherein any process is carried on by the occupier with the aid of his family only and without employing hired labour or to any school established by, or receiving assistance or recognition from, Government.

4. *Power to amend the Schedule.*—Government, after giving, by notification in the Cochin Government Gazette, not less than three months notice of their intention so to do, may, by like notification, add any description of process to the Schedule, and thereupon the Schedule shall have force in the State as if it has been enacted accordingly.

5. *Notice to Inspector before carrying on work in certain processes.*—Before work in any of the processes set forth in the Schedule is carried on in any workshop after such date as may be notified by Government in this behalf, the occupier shall send to the Inspector, within whose local limits the workshop is situated, a written notice containing,—

(a) the name and situation of the workshop,

(b) the name of the person in actual management of the workshop,

(c) the address to which communications relating to the workshop should be sent, and

(d) the nature of the processes to be carried on in the workshop.